

INTERNATIONAL SEARCH REPORT

International application No
PCT/EP2007/000305

A. CLASSIFICATION OF SUBJECT MATTER

INV. B65G47/51
ADD. B65G43/08

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
B65G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00/43294 A (HARTNESS INT INC [US]) 27 July 2000 (2000-07-27) cited in the application page 10, line 3 - line 8; figure 1 page 24, line 3 - line 6	1,2,5-13
X	GB 2 300 613 A (FERAG AG [CH]) 13 November 1996 (1996-11-13) page 11, line 27 - page 12, line 8	1-13
X	WO 97/09257 A (SWEDEFISH MACHINERY AB [SE]; PERSSON AGNE [FI]) 13 March 1997 (1997-03-13) page 3, line 29 - page 4, line 6; figure 1	1-13



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Z document member of the same patent family

Date of the actual completion of the international search

12 April 2007

Date of mailing of the international search report

19/04/2007

Name and mailing address of the ISA/

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Information on patent family members

International application No

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0043294	A	27-07-2000	AT 270240 T	15-07-2004
			AU 760895 B2	22-05-2003
			AU 1231200 A	07-08-2000
			BR 9916926 A	13-11-2001
			CA 2356393 A1	27-07-2000
			CN 1515478 A	28-07-2004
			CN 1333729 A	30-01-2002
			DE 69918468 D1	05-08-2004
			DE 69918468 T2	25-08-2005
			EP 1161391 A1	12-12-2001
			JP 3735036 B2	11-01-2006
			JP 2002535217 T	22-10-2002
			MX PA01007253 A	04-06-2002
			US 6260688 B1	17-07-2001
GB 2300613	A	13-11-1996	CH 690646 A5	30-11-2000
			DE 19609633 A1	14-11-1996
			US 5772005 A	30-06-1998
WO 9709257	A	13-03-1997	AT 210062 T	15-12-2001
			AU 6840896 A	27-03-1997
			CA 2230242 A1	13-03-1997
			DE 69617746 D1	17-01-2002
			DE 69617746 T2	02-01-2003
			DK 885160 T3	02-04-2002
			EP 0885160 A1	23-12-1998
			ES 2169256 T3	01-07-2002
			IS 4672 A	23-02-1998
			JP 11511424 T	05-10-1999
			PT 885160 T	31-05-2002
			SE 504804 C2	28-04-1997
			SE 9502943 A	25-02-1997
			US 6026947 A	22-02-2000

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference pathape1124WO		Date of mailing (day/month/year) See form PCT/ISA/210
International application No. PCT/EP2007/000305		FOR FURTHER ACTION See paragraph 2 below
International filing date (day/month/year) 16.01.2007	Priority date (day/month/year) 20.02.2006	
International Patent Classification (IPC) or both national classification and IPC B65G47/51 B65G43/08		
Applicant KRONES AG		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing
 - ☐ contained in the international application as filed
 - ☐ filed together with the international application in electronic form
 - ☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, Inventive step or Industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	1-13	NO
Inventive step (IS)	Claims	_____	YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims	_____	NO

2. Citations and explanations:

Reference is made to the following documents:

- D1: WO 00/43294 A (HARTNESS INT INC [US]) 27 July 2000
(2000-07-27) mentioned in the application
- D2: GB-A-2 300 613 (FERAG AG [CH]) 13 November 1996
(1996-11-13)
- D3: WO 97/09257 A (SWEDEFISH MACHINERY AB [SE]; PERSSON
AGNE [FI]) 13 March 1997 (1997-03-13)

Lack of Novelty

The present application does not meet the requirements of PCT Article 33(1) since the subject matter of claim 1 is not novel (PCT Article 33(2)).

Document D1 describes (the references between parentheses [] apply to this document):

an apparatus (V1) for storing articles (G), having two conveying paths (F1, F2) which can be driven in opposite directions, and having a transfer arrangement (2) which can be displaced along these conveying paths and is intended for transferring articles between the two conveying paths

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Box No. V Reasoned statement under Rule 43bis.I(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

[see figure 1], characterized by at least one functional control means (41 to 51; 53, 54) which monitors the apparatus (V1) [see page 10, lines 3 to 8 and page 24, lines 3 to 6].

The same arguments apply to D2 and D3.

Lack of Inventive Step

D1 is not novel and, for this reason, the present application does not meet the requirements of PCT Article 33(1) and the subject matter of claim 1 does not involve an inventive step (PCT Article 33(3)).

Dependent Claims

Dependent claims 2-13 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements of novelty and/or inventive step, see documents D1 to D3 and the corresponding passages in the text cited in the search report.

In particular claim 3: in D3, see figure 1, feature 16 (shunt) moves and has a control means (detecting means). The same arguments apply to D2.